

Don W. Mortner  
James B. Bear  
Darius L. O'Brien  
William D. Binkley  
William H. Monson  
Arthur A. Rose  
James P. Leavelle  
Ned A. Lenz  
Drew S. Hamilton  
Jury T. Sevel  
John B. Spence, Jr.  
Edward A. Schwaib  
Gerard W. Hoffmann  
Joseph R. Re  
Colleen J. Holland  
John M. Carson  
Kara Vogel West  
Andrew H. Simons  
Jeffrey L. Van Hooser  
Daniel E. Allman  
Stephen C. Jensen  
Vito A. Canoso III  
William H. Shreve  
Lynda J. Zed-Symest  
Susan J. Nataroli  
Paul A. Stawert  
Joseph F. Jontalaga  
Craig S. Summers  
Andrea Marie Kaler  
Brent R. Babcock  
Thomas F. Grogan, Jr.  
Michael H. Traubel  
Diana M. Reed  
Ronald J. Schoenbaum  
John R. King  
Frederick S. Borretto  
Nancy W. Vohala  
John P. Glatton  
Adel B. Akhtar  
Thomas R. Arzo  
David M. Weiss  
Daniel Hart, Ph.D.  
Douglas G. Muehlbauer  
Lori Log Yarnes  
Michael K. Friedland  
Dale C. Huxl, Ph.D.  
Stanley R. Halpern  
Lee W. Henderson, Ph.D.  
Mark M. Abumari  
Jon W. Clarke  
John W. Holcomb

Joseph M. Reisman, Ph.D.  
Michael L. Fisher  
Eric M. Nelson  
Mark R. Benedict, Ph.D.  
Paul H. Conover  
Robert J. Roth  
Sahag H. Lee  
Kathleen A. Olessey  
Joseph G. Cramer  
William R. Zimmerman  
Pepi C. Steinhardt  
Eric S. Perlman, Ph.D.  
Susan M. Halland  
James W. H.W. M.D.  
Oscar S. Shephard  
Glen L. Nuttall  
Tina A. Lowe  
Ronald S. Gill  
Ross M. Thibault, Ph.D.  
Michael A. Guillen  
Mark J. Kertz  
Rahinder N. Morla  
Grace S. McKnight, Ph.D.  
Michael S. Okamoto  
John M. Grover  
Mallory K. De Merlier  
Irfan A. Lalani  
Amy C. Christensen  
Sharon S. Ng  
Mark J. Gallagher, Ph.D.  
David G. Jackowski, Ph.D.  
Brian C. Horne  
Payson J. LeMaitre  
Shelia M. Swarop  
Ben A. Katrellenbogan  
Linda M. Uu  
Andrew N. Merckel, Ph.D.  
David L. Hanger  
James F. Markenhoff  
Scott L. Murray  
Andrew M. Douglas  
Maro T. Morley  
Sallma A. Merari, Ph.D.  
Sam K. Tahmassebi, Ph.D.  
Christy G. Lee  
Jehannan A. Hyman  
Curtis C. Dozier  
Joseph J. Nelson, Ph.D.  
Thomas P. Krasinski  
Sean M. Murray  
Elihu Ndu

# Knobbe Martens Olson & Bear LLP

Intellectual Property Law

2040 Main Street  
Fourteenth Floor  
Irvine, CA 92614  
Tel 949-760-0404  
Fax 949-760-8502  
knob.com

RECEIVED  
CENTRAL FAX CENTER  
JUL 15 2004

## IMPORTANT NOTICE

The information accompanying this facsimile transmission is intended only for the use of the recipient named below. The information may contain confidential information which may also be legally privileged. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us. Any disclosure, copying, distribution or the taking of any action in reliance on the contents of faxed information received in error is strictly prohibited.

## CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

July 15, 2004  
Glen L. Nuttall, Reg. No. 48,188

## FACSIMILE TRANSMITTAL SHEET

TO: Examiner Andrea M. Valenti  
FIRM: UNITED STATES PATENT AND TRADEMARK OFFICE  
GROUP ART UNIT: 3643  
SERIAL NO.: 09/557,234  
FILING DATE: April 24, 2000  
FAX NO.: (703) 872-9306  
FROM: Glen L. Nuttall  
CLIENT CODE: PODON.001A  
TOTAL NUMBER OF PAGES: - 13 - (INCLUDING COVER SHEET)  
DATE: July 15, 2004

IF YOU DID NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK IMMEDIATELY.

08/17/2004 DBATES 00000016 111410 09557234  
Facsimile Operator Phone Number: (949) 760-0404  
01 FC:2251 55.00 DA Direct Line to Machine: (949) 760-9502

MESSAGE: Enclosed for filing in the above-identified patent application is a Office Action response.

Valerie L. Brennan  
J. David Eversditt  
Perry D. Oldham  
Jerry L. Nelson, Ph.D.  
Russell M. Jelle  
Abraham W. Chang  
Pui Tong Ho, Ph.D.  
Eric T. Anderson  
John L. Park  
James A. Rollwell  
Marc C. Baumgartner  
Danielle Klotzner  
Kyle F. Schickler  
Raphael A. Gubitz  
Nathan A. Elgode  
Gregory A. Haiman  
Zi Y. Wang  
John N. Kuntz  
Melissa S. Bellinger  
David K. Wiggins  
Darryl M. Skamaria, Ph.D.  
Laurie J. Keller  
Ted M. Cannon  
Carol M. Pitzel  
Joseph A. Villala  
Shelia R. Gibson  
Andrew I. Kimmel  
Curtis R. Mullins  
Tina Chen  
Brendan Grogan, Ph.D.  
Christopher L. Ross  
Don W. Anthony, Ph.D.  
John G. Kickenbrode  
Aaron D. Barker  
Christian A. Fox  
M. Todd Hales  
Ell A. Loebe, Ph.D.  
Jennifer L. Etkon, Ph.D.  
Ryan E. Mohrlich, Ph.D.  
Brian C. Leubitz  
Yanhu S. Bouris  
Philip M. Nelson  
Karl L. Klassen  
Jason T. Evans  
Walter E. Wu  
Katie M. McCloskey  
Katsuhiko Arai  
C. Philip Peifer  
Mark A. Galer

Ol Gonzalez  
Linda J. Knobbe  
Jerry R. Seiler  
Japanese Patent Atty  
Katsuhiko Arai  
Tomohisa Sugiyama

Korean Patent Atty  
Minchul Kim  
Mangsoo Choi

Collegiate & Engineers  
(Nab-Lawyers)

Rabindra K. Bhanuka  
Kishore R. Bhanuka  
Jennifer Haynes, Ph.D.  
Chia S. Chien, Ph.D.  
James W. Adams  
Corrie C. Tong, Ph.D.  
Suzanne Depard, Ph.D.  
Nora M. Brand  
Kathy C. Miller  
James W. Chang, Ph.D.  
Marion L. Gandy, Ph.D.  
W. Frank Ogden  
Lung J. McHardy  
Karan J. Lanker  
Chris Weisberg, Ph.D.  
Eric B. Ives, Ph.D.  
Raymond D. Stahl, Ph.D.

\* A Professional Corporation  
† Also Solicitor At Law in India  
‡ U.S. Patent Agent  
§ Also Solicitor in India

A. LIABILITY	
C. DATE OF RECEIPT	
11	1410
FEE CODE	VAL. FURNISH
2251	55

330 West C Street  
Suite 1200  
San Diego CA 92101  
Tel 619-233-8330  
Fax 619-233-0176

201 California Street  
Suite 1150  
San Francisco CA 94111  
Tel 415-394-4114  
Fax 415-394-4111

1801 Avenue of the Stars  
Suite 1500  
Los Angeles CA 90067  
Tel 310-551-3430  
Fax 310-551-4454

3400 Tenth Street  
Suite 700  
Riverside CA 92501  
Tel 951-781-0271  
Fax 951-781-4507

1114 Marsh Street  
San Luis Obispo CA 93401  
Tel 805-647-8380  
Fax 805-647-8380

P. 1/13

NO. 828

KNOB

3:07PM

JUL 15 2004

**PATENT**

Case Docket No. PODON.001A

Date: July 15, 2004

Page 1

In re application of : Patrick J. O'Donnell  
 App. No. : 09/557,234  
 Filed : April 24, 2000  
 For : METHOD AND APPARATUS FOR  
 DISLODGING INSECTS FROM  
 PLANTS  
 Examiner : A. Valenti  
 Art Unit : 3643

**CERTIFICATE OF FAX TRANSMISSION**

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to Examiner Andrea M. Valenti, Fax No. (703) 872-9306 of the USPTO on the date shown below:

July 15, 2004

  
 Glen L. Nuttal/Reg. No. 46,168

**COMMISSIONER FOR PATENTS**  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	18	—	33	= 0 ×	\$9	= \$0
Independent Claims	2	—	3	= 0 ×	\$43	= \$0
If application has been amended to contain multiple dependent claim(s), then add					\$145	= \$0
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>						<b>\$0</b>

(X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

PATENT

Case Docket No. PODON.001A

Date: July 15, 2004

Page 2

- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Glen L. Nuttall  
Registration No. 46,188  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

H:\DOCS\GLN\GLN-7949.DOC  
071504

PODON.001A

OFFICIAL

PATENT  
RECEIVED

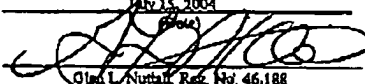
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **CENTRAL FAX CENTER**

JUL 15 2004

Applicant : Patrick J. O'Donnell  
Appl. No. : 09/557,234  
Filed : April 24, 2000  
For : METHOD AND APPARATUS  
FOR DISLODGING INSECTS  
FROM PLANTS  
Examiner : A. Valenti  
Group Art Unit : 3643

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being (electronically) transmitted to the Patent and Trademark Office on the date shown below:

July 15, 2004  
(Date)  
  
G. L. Nuttall, Reg. No. 46,188

OFFICE ACTION RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed March 15, 2004, Applicant respectfully submits the following amendments and remarks in connection with the above-captioned application.

A listing of all of the currently pending claims begins on page 2 of this paper.

The remarks begin on page 5 of this paper.